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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael John Christensen

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01/25/2007

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EXAMINER

HELLNER, MARK

ART UNIT

PAPER NUMBER

3663

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 23 and 40-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Baroni et al (WO 02/50572 A1).

Baroni et al disclose a device for emitting waves into an underground formation, the device comprising: at least one vibrator (4, 5); two plates (2, 3) ; at least one motive element (the electric elements of the electromechanical transducers 4 and 5) suited to generate vibrations and to communicate them to the plates; and a generator (7) for applying periodic control signals to the motive element.

Figure 1 shows the vibrator positioned in a cavity and embedded in at least one solid material 6 to provide coupling thereof with the underground formation C with the material being in contact with the end faces of the plates.

The structure recited above reads on claim 23.

The functions recited by claims 40-44 read on the device of figure 1 when operated by the control signal generator 7.

Claims 24-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3663

Applicant's arguments with respect to claims 23-44 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Mark Hellner at telephone number 571 272 6981.

Mark Hellner

Primary Examiner

AU 3663

A handwritten signature in black ink, appearing to read "Mark Hellner", is written over the printed name and title.